Mr. P. Kumaran Ezhuthassan.—Sir, as the Hon'ble Member for Trichur said that there is more of insinuation than any real purpose in this resolution, I move under S. O. 26 that the Council may pass to the next business.

Mr. T. K. Nayar.—I second it.

Motion for adjournment put and carried.

2. Grant to Municipalities—Fixing the minimum.

Mr. P. Krishna Menon.—"This Council recommends to the Government that orders may be passed fixing a minimum grant to the several Municipalities of the State so as to enable them to frame their budgets in future with an approximate idea of their receipts from this source."

Sir, as the resolution is self-explanatory I shall only read it now.

The object of the motion is also made clear at the fag end of it. Now the only question that may arise in the mind of the Government is with regard to the grant itself, i. e., whether the Government will be required to make an additional grant in the sense that they have now committed themselves to grant. With regard to that also I may just inform the House that according to the orders passed with regard to the grant of maintenance allowance for trunk roads of the Municipalities they are entitled to a certain amount according to the mileage of the roads under their control. At least even that sum may be made a preliminary grant so that the Municipalities may frame their budgets with some idea as to their sources from this particular item. It is only to enable the Municipality to anticipate more or less correctly their income that I want to request the Government to make this preliminary grant so that as the time is approaching for framing the budget it may be done. It will not involve any additional grant.

Mr. A. Eachara Menon.—I second it.

Rama Varmha Tampuran.—The road grant will be communicated to the Municipality sufficiently early to give them time to frame their budget.

Mr. P. Krishna Menon.—On that assurance I beg leave of the House to withdraw my motion.

Resolution was, with leave, withdrawn.

3. Water supply to houses served by one service connection.

Mr. George Chakyamuri.—Sir, my resolution runs thus:—

"This Council recommends to the Government that, in cases where more than one house is served by the same service connection, a free allowance

LIBRARY ARCHIVES Kerala Legislative Assembly

calculated at the separate independent rental of each house and subject to a minimum of 100 gallons of water, be given to each house owned by one house-owner in one and the same compound".

I do not think this is going to be a controversial matter, because as far as I have understood it, the Government themselves have accepted it, by a Proceedings.

I will explain the purpose of the resolution. Every house that has got a private connection is entitled to a free allowance of 100 gallons and of course that free allowance increases when the rental value increases. For example, a house which has annual rental value of 25 to 100 is entitled to a free allowance of 100 gallons; from 200 to 240, 150 gallons; from 240 to 480, 200 gallons; from 480 to 960, 250 gallons and from 960 and above 300 gallons. That is the way in which free allowance is granted by the Municipality for service connections. Supposing there are 4 houses in one compound, each one of that having a rental value of 25 to 100 and supposing all these 4 houses are served only by one metre under the existing system in force the free allowance is calculated on the total of the rental value of all these 4 houses. Instead of treating them separate and giving them 100 gallons each, *i. e.* 400 gallons, they get only 200 gallons, that is the maximum allowed for the amounts got by adding together the rentals of all the four houses. Supposing the owner of these 4 houses agrees to put separate metres then he is entitled to all these 400 gallons. Because he does not put separate metres, all these rentals are added together and he is given a free allowance on that. Supposing these 4 houses are occupied by four different persons, unless separate metres are put up, they are not given free allowance according to the rate at which they are entitled. I suppose I have made myself clear with regard to this matter. To a question put by me with regard to a petition on this matter submitted by a private party it is answered that the following order has been passed by the Government.

"The rule requires to be liberally construed and the Government must look to the spirits and not to the letter of it. To ask the petitioner to resort to another service connection is really hard when the service connection already in existence suits his purpose very well. The petitioner's request must therefore be allowed".

The same matter was involved in that petition. He insisted on getting a free allowance of 100 gallons for each house though it was not separately metered and the Government ordered that the rule requires to be liberally construed and the Government must look into the spirit and not to the letter of it. That was the order passed by the permanent Diwan and I do not know if

LIBRARY ARCHIVES Kerala Legislative Assembly

the Government will have any objection to accept this resolution in the light of the above proceedings.

Mr. A. Sankara Menon.—Sir, I beg to second the motion. I do not know whether the Government is going to accept it or not. I shall place my own difficulty before the House. I have 4 houses having only one entrance and the 4 houses are let to 4 different families and the total allowance is calculated on the total rental of the 3 houses and allowance is made for that. Every month a bill is sent to me for a very large amount. If the allowances for the separate houses are added together and a free allowance of that total is allowed, I have nothing to pay. Then there is this difficulty also. Which tenant am I to charge for this excess. The person who consumed ought to pay and not the house owner. Each tenant would deny his liability. There is another difficulty. There is one house belonging to me and another to a friend of mine, served by the same service connection. Sometimes a bill is sent to me and sometimes to my friend and there is always an excess charged because the total of the rental is calculated in giving the free allowance. This will explain the position for which the mover has brought the motion before the Council. Free allowance should not be allowed on the total of the rental of all the houses put together, but free allowance should be allowed for each house separately.

Dr. A. R. Menon.—On a point of information, Sir, have you consulted the Ernakulam Municipality about this matter, because I believe they will have something to say about this?

Mr. V. K. Aravindaksha Menon.—Yes, we have consulted the Ernakulam Municipality and they are opposed to this measure.

Mr. Joseph Pettah.—Sir, I support the resolution because the request is somewhat reasonable. When separate houses are occupied by separate families, the free allowance should be calculated on the rental of that particular house and not on the total of all houses because the water is required by the family inhabiting the house and not by the owner. If all this water were required by the owner of 5 or 6 houses then there is some meaning in calculating the free allowance on the total rental value of the buildings but the water is actually used by the occupant of the house. Therefore it is only reasonable, it is only very fair that the free allowance should be calculated on the rental of each separate house and not on the total. If separate metres are placed, I understand, the allowance is calculated separately. The only difference is that the Municipality would be compelling the house owner to put separate metres.

LIBRARY ARCHIVES Kerala Legislative Assembly

Even if it is only one metre, if it is proved conclusively that separate houses are inhabited by different families, surely the minimum free allowance could be calculated separately on each house and not on the total value of the buildings. As it is a very reasonable request, though it is a matter affecting the people of Ernakulam, I heartily support the resolution.

Mr. A. Sankara Menon.—I rise to make one point clear. Supposing the house owner wants to instal separate metres for each house, will the Government have any objection to provide separate metres, provided the house owner bears the cost. According to the rules he is not allowed separate metres because there is only one entrace. I wish to have the Government's answer with regard to that.

Mr. V. K. Aravindaksha Menon.—The present practice of the Department is to allow one metre to every house and on the understanding that every house should have a separate entrance. If in a compund, for example, there are 4 or 5 houses belonging to the same person and that compound has only one entrance from the public road, then so far as the installation of metres go, we consider it as only one house and we allow one metre. If, however, we allow the minimum quantity of water for every house situated in a compound the minimum free allowance will mount up to a very high figure.

Mr. Joseph Pettah.—Supposing the houses are occupied by separate families?

Mr. V. K. Aravindaksha Menon.—How are we to know that they are occupied by separate families? It is very difficult to certify that these detached buildings are occupied by separate and self-contained families. I wrote to the Madras Municipality to ascertain what they are doing there in this matter. They also said that the practice current there is to give separate metres only to houses having separate entrances. We have also received a communication from the Ernakulam Municipality saying that if this resolution is allowed at present it may lead to disastrous results and they are at present ignorant of the full implications to which this resolution may commit them to. In these circumstances I oppose the resolution.

Mr. M. K. Raman.—Suppose there is a lane constructed by a private owner, will you consider it as a separate entrance?

Mr. V. K. Aravindaksha Menon.—It will be considered as a separate entrance.

Dr. A. R. Menon.—In a matter like this it is the primary duty of the Municipality to come to a decision and not this Council. The people have got proper representation in the Council. I don't see the reason why they could not influence

LIBRARY ARCHIVES Kerala Legislative Assembly

the councillors in accordance with the views of the gentlemen here and if the Council agrees to it, we should not oppose them at all. In these matters unless we are very careful the position of the Ernakulam Municipality will be very delicate. Half of Ernakulam does not get a drop of water now and if this resolution is accepted it will be very difficult to anticipate in getting it. Therefore in matters like this it will be very serious to meddle with the existing arrangement. This practice has been resorted to in Madras and why should we make a change here? What difference does it make whether we put separate metres or not? There is a little difference. For example, in a compound there are 4 houses and it so happens that a particular occupant of a house may leave the house for some time so that no water is made use of by him. If that water is made use of by the other people living there, the Municipality cannot charge them for excess consumption. That makes a little difference. In a matter where the Municipality is opposed to it, I will certainly vote against it because they are the local authorities and the duty of distributing water mainly rests with the Municipality. It is in the interests of the gentlemen living in Ernakulam that they should be guided by the advice of the Municipality in these matters. Had the Municipality given its support to this, we would all of us have voted in favour of the motion. But now we oppose it.

Mr. Joseph Pettah.—Now if the owner of 4 or 5 houses having only one entrance from the road, agrees to open from each house a small road to the main road then he would get the benefit of separate metres. Is it not so?

Mr. V. K. Aravindaksha Menon.—If the houses have separate entrances from the road, they will be entitled to have metres.

Mr. George Chakyamuri.—What do you mean by separate entrance?

Mr. V. K. Aravindaksha Menon.—In a compound there may be 3 or 4 houses, but only one entrance into the compound. These class of houses are not to have separate metres. In the case of separate entrances, each house should have separate gates.

Mr. George Chakyamuri.—Suppose there is no fence, and no gates. How would you treat these houses?

Mr. V. K. Aravindaksha Menon.—That is a very hypothetical question.

Mr. Popatlal Goverdhan Lalan.—Sir, on a point of information, whether numbers marked on four or five houses separately will be a consideration for installing separate metres?

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. V. K. Aravindaksha Menon.—As regards the present rules for fixing metres are concerned, every house must have separate entrance and not only separate number.

Mr. P. Krishna Menon.—Sir, I wish to add a few words. Though the resolution is certainly intended for the benefit of the townsmen of Ernakulam, paradoxical as it may seem, I have to oppose it on the same ground, in the interest of the people of Ernakulam. It is this way. I believe the Hon'ble Members know that the Municipality has to pay Government at a certain rate for the water consumed by the townsmen of Ernakulam and the rate is fixed, namely, 4 as. per thousand gallons. Now according to the present assessments the amount that is realised by way of water-tax comes to something like Rs. 13,600 and if I remember correctly there are a little over 900 service connections in Ernakulam. If all the houses in Ernakulam are given separate connections and separate metres, there will be something like 1,200 houses or even more; and according to the present rate the free allowance that will be allowed when separate connections are given will amount to a quantity which valued at 4 as. per thousand gallons will amount to something like 20 thousand rupees. Our revenue, so far as the water-tax is concerned, is only 13 thousand rupees and the difference between the 20 thousand the 13 thousand will have to be made up by extra taxation. That is why I said that I oppose the resolution in the interests of the people of Ernakulam itself. How to avoid it is the question. The Municipality certainly is not in the least anxious to gain anything from this distribution of water. But we must be on our guard to see that we are not compelled to impose extra taxation on account of the water supply. Therefore it is that the Municipality has striven its best to decrease the free allowance. It will be a necessary concomitant if we refuse to give separate connections to all the houses. But under the rules the Municipality is authorised to refuse. Therefore the Municipality is bound to give connections so far as requests are made; and before we know the actual number of connections that will have to be given we also are not in a position to know what quantity will be required and at the same time what we will have to pay to the Government. These metres were introduced only a couple of months ago and the Municipality is waiting to see the expenditure or the consumption of water. Though not the accredited agent of the Municipality, I may inform the House that the Municipality wants only a little time to watch the progress of this metering as well as extending the service connections, just to see the quantity that will have to be allowed ultimately as free allowance when all the

LIBRARY ARCHIVES Kerala Legislative Assembly

connections are made. Therefore, as I said, the metres were introduced only a couple of months ago and the Municipality is waiting to get the exact figures by the end of the year. After this if the Municipality finds that unrestricted connections may be given to all the houses, the Municipality will be willing to do that. In the absence of a definite data as to the actual quantity that will have to be allowed by way of free allowance, the Municipality is rather nervous to give any number of connections as they are called for. The anticipations are so apprehensive. The Municipality has not yet refused any connection that has been applied for. An Hon'ble Member of this House said that in addition to 4 metres that he had already installed, he was allowed to instal half a dozen more because he found difficulty for all the houses that are served by the service connections. Therefore the House will see as to whether the Municipality will be able to give free allowance much more than they are now giving and if it found that it is possible without entailing extra expenditure, the Municipality will be perfectly willing to give separate connections to all the Houses and satisfy the people with regard to connections.

Mr. George Chakyamuri.—May I know who you are to give this assurance?

Mr. P. Krishna Menon.—I said that I am not an accredited agent, but I am a member of the Municipality.

Mr. George Chakyamuri.—From the arguments advanced by the Hon'ble Member for Cheruviruthi it would appear that I should move this resolution in the Municipal Council, but I should say I have my own reasons for bringing it in this Council. From the replies given to some petitions, it is clear that the Municipality is not willing to do it and when the Municipality refuses to do a certain thing, it is proper and it is my duty to bring it to this House. I think I have a right to bring it to the notice of the Government since the Municipality is getting water under an agreement from the Government. When the Municipality refuses to do it, the Government should force the Municipality to do it. The Government should see that the water is properly distributed to the citizens.

Then with regard to the point raised by the Hon'ble the Chief Engineer that when there are separate entrances separate metres will be given and if there are separate metres, of course, they will be entitled to free allowance, I respectfully beg to submit that the argument is advanced on very flimsy grounds. It will be rather difficult to make separate entrances to instal separate metres and why should the people be asked to invest money on separate entrances?

LIBRARY ARCHIVES Kerala Legislative Assembly

As far as I know and it has been given expression to by the Hon'ble Member for Vadakkancheri, that when metres are asked for it is given by the Municipality as a matter of course.

If so, I don't know what special purpose will be served by burying 50 or 60 rupees under the earth. What is the objection in giving free allowance for each house separately, even if there is only one common metre? The only thing that you gain is that you help in giving some money to foreign companies by way of the cost of metres.

I am not going to attach any importance to the assurance given by the Hon'ble Member for Vadakkancheri. He is not authorised to do it. Resolutions have been withdrawn on the assurance given by the Government. But I am not going to withdraw my resolution on the assurance given by the Hon'ble Member for Vadakkancheri. I request the House to accept the resolution, as it is only reasonable that the Municipality should accede to this modest request. I press the motion.

Resolution put and negatived.

4. Recruitment of Nayars and Christians to Police force.

Mr. K. Ayyappan.—*This Council recommends to the Government to make it a rule not to recruit for five years any more Nayars and Christians to the Police force:*—

സർ, പോലീസ് കമ്മീഷണർ ഫ ഫ ഠ ന്-ൽ ഒ്ന നിയമനങ്ങളം നടത്തിയതിൽ ന ഫ -ം നായന്മാക്കാണ് കിട്ടിയിട്ടുള്ളത്. ഫ ഫ ഠ ൈ-ൽ ഥ നിയമനങ്ങളിൽ ൈ-ം നായന്മാക്കാണ്. ഈ കഴിഞ്ഞ കുംഭത്തിൽ കാൺസ്റ്റബിൾമാരെ തിരഞ്ഞെടുത്തതിൽ ഛ ന പേരിൽ ഫ ഠ പേരും നായന്മാരാണ്. ഇതു കൊണ്ടു എന്റെ നിശ്ചയത്തിനു പ്രസംഗമൊന്നുമാവശ്യമുണ്ടെന്നു തോന്നുന്നില്ല. നിശ്ചയത്തിൽ ക്രസ്ത്യാനികളെ കൂടി ഉൾപ്പെടുത്തിയിട്ടുണ്ട്. അവരെ കൂടി ഉൾപ്പെടുത്തിയതെന്തിനാണെന്നു ചോദിക്കാം. മിസ്റ്റർ നീലകണ്ഠമേനോൻ മാത്രമല്ല, ഇവിടെ സാധാരണ മിക്ക ഉദ്യോഗസ്ഥന്മാരും നടത്തുന്ന നിയമനങ്ങളിൽ സ്വജാതി പക്ഷപാതം കാണുന്നുണ്ട്. മിസ്റ്റർ ചാക്കൊ കമ്മീഷണരായിരുന്നകാലത്തു് അദ്ദേഹവും ഇതുപോലെ ചെയ്തിരുന്നിരിക്കാം. അദ്ദേഹം അതു ചെയ്തിട്ടില്ലെന്നു പറകയാണെങ്കിൽ ഞാൻ അദ്ദേഹത്തോടു ക്ഷമായാചനം ചെയ്തുകൊള്ളാം. നായന്മാർക്കും ക്രസ്ത്യാനികൾക്കും അഞ്ചു കൊല്ലത്തേക്കു കൊടുക്കരുതു് എന്നു പറയുന്നതു മറ്റുള്ളവർക്കു് ഇനിയെങ്കിലും വല്ലതും കിട്ടട്ടെ എന്നുവച്ചിട്ടു് മാത്രമാണ്. ഒ ന-ൽ ന ഫ -ം സ്വജാതിക്കാർ. ഇങ്ങിനെ നിയമനം നടത്തുന്നവരാണു് ഈ നാട്ടിൽ കമ്മ്യൂണലിസം

LIBRARY ARCHIVES Kerala Legislative Assembly